

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
125<sup>TH</sup> LEGISLATURE  
SECOND REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON EDUCATION AND  
CULTURAL AFFAIRS**

June 2012

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# STATE OF MAINE

125<sup>TH</sup> LEGISLATURE  
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## LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all LDs and adopted amendments and all laws enacted or finally passed during the Second Regular Session of the 125<sup>th</sup> Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

<i>CARRIED OVER</i> .....	<i>carried over to a subsequent session of the Legislature</i>
<i>CON RES XXX</i> .....	<i>chapter # of constitutional resolution passed by both houses</i>
<i>CONF CMTE UNABLE TO AGREE</i> .....	<i>Committee of Conference unable to agree; legislation died</i>
<i>DIED BETWEEN HOUSES</i> .....	<i>House &amp; Senate disagreed; legislation died</i>
<i>DIED IN CONCURRENCE</i> .....	<i>defeated in each house, but on different motions; legislation died</i>
<i>DIED ON ADJOURNMENT</i> .....	<i>action incomplete when session ended; legislation died</i>
<i>EMERGENCY</i> .....	<i>enacted law takes effect sooner than 90 days after session adjournment</i>
<i>FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE</i> .....	<i>emergency failed to receive required 2/3 vote</i>
<i>FAILED, ENACTMENT or FINAL PASSAGE</i> .....	<i>failed to receive final majority vote</i>
<i>FAILED, MANDATE ENACTMENT</i> .....	<i>legislation proposing local mandate failed required 2/3 vote</i>
<i>HELD BY GOVERNOR</i> .....	<i>Governor has not signed; final disposition to be determined at subsequent session</i>
<i>LEAVE TO WITHDRAW</i> .....	<i>sponsor's request to withdraw legislation granted</i>
<i>NOT PROPERLY BEFORE THE BODY</i> .....	<i>ruled out of order by the presiding officer; legislation died</i>
<i>INDEF PP</i> .....	<i>indefinitely postponed; legislation died</i>
<i>ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X</i> ...	<i>ought-not-to-pass report accepted; legislation died</i>
<i>P&amp;S XXX</i> .....	<i>chapter # of enacted private &amp; special law</i>
<i>PUBLIC XXX</i> .....	<i>chapter # of enacted public Law</i>
<i>RESOLVE XXX</i> .....	<i>chapter # of finally passed resolve</i>
<i>VETO SUSTAINED</i> .....	<i>Legislature failed to override Governor's veto</i>

The effective date for non-emergency legislation enacted in the Second Regular Session of the 125<sup>th</sup> Legislature is Thursday, August 30, 2012. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

**LD 1781**

**An Act To Restructure the National Board Certification Program for Teachers**

**PUBLIC 702**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALFOND	OTP-AM	S-488 S-610 ROSEN R

This bill restructures the incentive established for teachers who attain certification from the National Board for Professional Teaching Standards. The bill provides, beginning with the 2012-2013 school year, the payment of the \$3,000 annual salary supplement awarded to national board-certified teachers must be provided with funds from the Department of Education and the state subsidy allocated to the school administrative unit that employs the teacher. The bill also establishes an incentive to encourage teachers to apply for national board certification. The bill provides, beginning with school year 2012-2013, up to 10% of the per-pupil amount for professional development allocated to a school administrative unit must be awarded to provide payment of the application fees for teachers employed by the school administrative unit who apply for national board certification during the year of allocation. If a school administrative unit fails to use the full 10% of the per-pupil amount to pay for application fees, the Commissioner of Education may withhold from the next year's allocation the unused amount.

**Committee Amendment "A" (S-488)**

This amendment restructures the salary supplement incentive established for teachers who attain certification from the National Board for Professional Teaching Standards. The amendment provides, in fiscal year 2012-13, a salary supplement of \$2,500 must be awarded to national board certified teachers; in fiscal year 2013-14, a salary supplement of \$2,750 is awarded to national board certified teachers; and in fiscal year 2014-15 and succeeding years, a salary supplement of \$3,000 is awarded to national board certified teachers. The amendment establishes, beginning in fiscal year 2012-13, the National Board Certification Salary Supplement Fund. The salary supplement must be funded through fees collected by the Department of Education for teacher recertification. The amendment also establishes an incentive to encourage teachers with at least 3 years of experience who agree to mentor another teacher through the national board certification process to apply for national board certification. The amendment provides, beginning with fiscal year 2012-13, the department must establish a nonlapsing scholarship fund to encourage teachers to apply to and enroll in the certificate program of the National Board for Professional Teaching Standards. The amendment also removes a reference to the national board certification salary supplement in the Maine Revised Statutes, Title 20-A, section 15689-A. The amendment adds an appropriations and allocations section.

**Senate Amendment "A" To Committee Amendment "A" (S-610)**

This amendment restores and amends a reference to the national board certification salary supplement in the Maine Revised Statutes, Title 20-A, section 15689-A. It also adds a new appropriations and allocations section.

**Enacted Law Summary**

Public Law 2011, chapter 702 restructures the salary supplement incentive established for teachers who attain certification from the National Board for Professional Teaching Standards. It provides that, in fiscal year 2012-13, a salary supplement of \$2,500 must be awarded to national board-certified teachers; in fiscal year 2013-14, a salary supplement of \$2,750 is awarded to national board-certified teachers; and in fiscal year 2014-15 and succeeding years, a salary supplement of \$3,000 is awarded to national board-certified teachers. Public Law 2011, chapter 702 establishes, beginning in fiscal year 2012-13, the National Board Certification Salary Supplement Fund. The salary supplement must be funded through a portion of teacher certification fees

*Joint Standing Committee on Education and Cultural Affairs*

collected by the Department of Education. The law also establishes an incentive to encourage teachers with at least 3 years of experience who agree to mentor another teacher through the national board certification process to apply for national board certification. The law provides that, beginning with fiscal year 2012-13, the department must establish a nonlapsing scholarship fund to encourage teachers to apply to and enroll in the certification program of the National Board for Professional Teaching Standards. The law includes an appropriations and allocations section.

Public Law 2011, chapter 702 became law as a result of the Legislature's vote to override the Governor's veto.

**LD 1782      **Resolve, Regarding Legislative Review of Portions of Chapter 101: Maine Unified Special Education Regulation Birth to Age Twenty, Including Certain Sections and the Appendix, a Major Substantive Rule of the Department of Education**      **ONTP****

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	ONTP	

This resolve provides for legislative review of portions of Chapter 101: Maine Unified Special Education Regulation Birth to Age Twenty, Including Certain Sections and the Appendix, a major substantive rule of the Department of Education.

While this resolve was not enacted, portions of these provisionally adopted rules were addressed in LD 1724, which was finally passed as Resolve 2011, chapter 134.

**LD 1783      **Resolve, Regarding Legislative Review of Chapter 140: Public Charter Schools, a Major Substantive Rule of the Department of Education**      **RESOLVE 136****

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-759 S-459 LANGLEY

This resolve provides for legislative review of Chapter 140: Public Charter Schools, a major substantive rule of the Department of Education.

**Committee Amendment "A" (H-759)**

This amendment addresses technical and substantive changes to the proposed major substantive rule Chapter 140: Public Charter Schools in the areas of application, procedures for conversion and enrollment, transfer of records and funding.

**Senate Amendment "A" (S-459)**

This amendment removes the emergency preamble and emergency clause.

**Enacted Law Summary**

Resolve 2011, chapter 136 provides final adoption of Chapter 140: Public Charter Schools, a Major Substantive